

PTO/SB/21 (07-06)

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FORM

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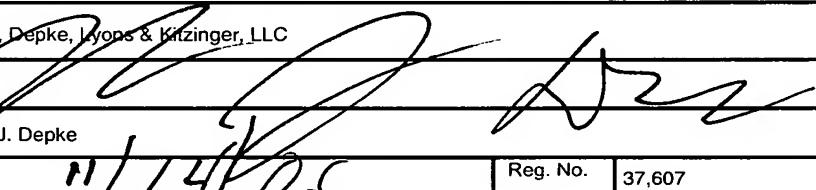
Total Number of Pages in This Submission

Application Number	10/574,243
Filing Date	March 29, 2006
First Named Inventor	Tetsuya Tamura et al.
Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	075834.00568

6

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Postcard, Power of Attorney, Response to Notice to File Missing Requirements under 35 U.S.C. 371, Copy of Notification, check in the amount of \$130.00
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input checked="" type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
The Commissioner is hereby authorized to charge Deposit Account No. 50-3891 in the amount of \$130.00 or any amount necessary for this reply or to credit any overpayment to same		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Rockey, Depke, Lyons & Kitzinger, LLC		
Signature			
Printed name	Robert J. Depke		
Date	11/14/05	Reg. No.	37,607

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Robert J. Depke	Date	11/14/05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES ELECTED OFFICE  
OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
UNDER THE PATENT COOPERATION TREATY

**RESPONSE TO MISSING REQUIREMENTS UNDER 35 U.S.C. 371  
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

APPLICATION No.: **10/574,243**  
APPLICANT(S): **Tetsuya Tamura et al.**  
ATTORNEY DOCKET NO.: **075834.00568**  
INTERNATIONAL APPLICATION NO.: **PCT/JP04/014806**  
INTERNATIONAL FILING DATE: **September 30, 2004**  
INVENTION: **RECORDING AND REPRODUCING APPARATUS  
AND RECORDING METHOD**

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Sir:

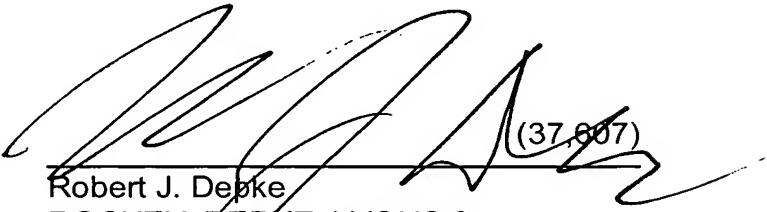
In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed October 10, 2006, Applicant submits an executed Declaration and Power of Attorney as required in the Notice, along with a check in the amount of \$130.00, for payment of the surcharge for providing the declaration later than the statutory 30 months from the priority date. A copy of the notice is submitted herewith.

Appl. No. 10/574,243  
Reply to 35 U.S.C. 371 Formalities  
Atty Docket No. 075834.00568

In addition, the Commissioner is hereby authorized to charge any fees due or credit any overpayment to Deposit Account No. 50-3891.

Date: 11/14/06

Respectfully submitted,

  
Robert J. Depke  
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**Attorney for Applicants**

(37,607)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/574,243	Tetsuya Tamura	07583400568
INTERNATIONAL APPLICATION NO.		PCT/JP04/14806
I.A. FILING DATE		PRIORITY DATE
09/30/2004		10/02/2003
<b>CONFIRMATION NO. 5906</b> <b>371 FORMALITIES LETTER</b>  *OC000000020745967*		

Date Mailed: 10/10/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/29/2006
- English Translation of the IA filed on 03/29/2006
- Copy of the International Search Report filed on 03/29/2006
- Copy of Article 19 Amendments filed on 03/29/2006
- English Translation of Article 19 Amendments filed on 03/29/2006
- Preliminary Amendments filed on 03/29/2006
- Information Disclosure Statements filed on 03/29/2006
- Oath or Declaration filed on 03/29/2006
- Request for Immediate Examination filed on 03/29/2006
- U.S. Basic National Fees filed on 03/29/2006
- Priority Documents filed on 03/29/2006
- Specification filed on 03/29/2006
- Claims filed on 03/29/2006
- Abstracts filed on 03/29/2006
- Drawings filed on 03/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

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Telephone: (703) 308-9140 EXT 225

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**PART 1 - ATTORNEY/APPLICANT COPY**

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/574,243	PCT/JP04/14806	07583400568

FORM PCT/DO/EO/905 (371 Formalities Notice)